



State of New Jersey  
DEPARTMENT OF HEALTH

PO BOX 358  
TRENTON, N.J. 08625-0358

www.nj.gov/health

PHILIP D. MURPHY  
Governor

SHEILA Y. OLIVER  
Lt. Governor

SHEREEF M. ELNAHAL, MD, MBA  
Commissioner

IN RE: Licensure Violation ) Notice of Directed Plan of Correction (DPOC)  
NJ Facility ID # NJ 10702 )  
)

TO: John N. Kastanis, President & CEO  
University Hospital  
150 Bergen Street  
Newark, NJ 07103

This letter will confirm and clarify the October 2, 2018, telephone conversation between you and staff of Health Facility Survey & Field Operations, Certificate of Need & Licensing, Office of Program Compliance, Department of Health (Department), wherein you were informed that, effective immediately, the Department is ordering a Directed Plan of Correction (DPOC) specifically relating to securing the doors between the adult Neurological Intensive Care Unit and the Pediatric and Pediatric Intensive Care (PIC) Unit.

The Health Care Facilities Planning Act (N.J.S.A. 26:2H-1 et seq.) (the Act) provides a statutory scheme designed to ensure that all health care facilities are of the highest quality. Pursuant to the Act and N.J.A.C. 8:43E-1.1 et seq., General Licensure Procedures and Standards Applicable to All Licensed Facilities, the Commissioner of Health is authorized to inspect all health care facilities and to enforce the Manual of Hospital Licensing Standards set forth at N.J.A.C. 8:43G-1.1 et seq.

**LICENSURE VIOLATIONS:**

Staff of the Department visited University Hospital on September 28, 2018, to conduct a complaint survey. The survey staff found the following licensure violations, among other violations. It was determined that the facility failed to ensure patient safety in the Pediatric and PIC unit. Department surveyors observed the doors between the adult Neurological Intensive Care Unit and the Pediatric/PIC unit were unsecured and did not have a locking mechanism. Further, the facility had no one posted at the doors to prevent unauthorized persons from entering the Pediatric/PIC unit, potentially allowing a person with access to the adult Neurological Unit to enter the Pediatric/PIC unit through the unsecured doors and cause harm

University Hospital  
Notice of Directed Plan of Correction  
Complaint Survey of September 28, 2018

to a pediatric patient. These violations pertain to the care of participants using the services at University Hospital.

The Department cited University Hospital for the same deficiency during a survey conducted on April 17, 2013, at which time survey staff observed that the same doorway did not have a locking mechanism.

**DIRECTED PLAN OF CORRECTION:**

The Department is, therefore, ordering a DPOC requiring the facility, by October 11, 2018, to submit for the Department's approval a system that secures and controls access to the doors between the adult Neurological ICU and the Pediatric/PIC unit, preventing individuals from unfettered access to the latter pediatric unit. The approved plan shall be implemented by October 31, 2018. Until the plan is approved and implemented, University Hospital shall ensure that an appropriate staff member is stationed in a position to visually monitor the doors at all times, 24 hours a day, seven days per week, to prevent unfettered access to the Pediatric/PIC unit.

Please be further advised that this DPOC shall remain in place until the facility is otherwise notified by a representative of this Department. This action is taken in accordance with the provisions set forth at N.J.A.C. 8:43E-2.4 and 3.1.

Please also be advised that Department staff will monitor facility compliance with this Notice to determine whether corrective measures are implemented by the facility in a timely fashion.

Failure to comply with these and any other applicable requirements, as set forth in pertinent rules and regulations, may result in the imposition of penalties and other remedies.

**FORMAL HEARING:**

University Hospital is entitled to a prompt formal hearing at the Office of Administrative Law (OAL) to challenge this DPOC. University Hospital may request a hearing to challenge either the factual survey findings or the DPOC, or both. University Hospital must advise this Department within 30 days of receipt of this letter if it requests an OAL hearing regarding this matter.

Please forward your OAL hearing request to:

Attention: OAL Hearing Requests  
Office of Legal and Regulatory Compliance, Room 805  
New Jersey Department of Health P.O. Box 360  
Trenton, New Jersey 08625-0360

University Hospital  
Notice of Directed Plan of Correction  
Complaint Survey of September 28, 2018

Corporations are not permitted to represent themselves in OAL proceedings. Therefore, if University Hospital is owned by a corporation, representation by counsel is required. In the event of an OAL hearing regarding this matter, University Hospital is further required to submit a written response to each and every charge as specified in this Notice, which shall accompany your written request for a hearing. Failure to submit a written request for a hearing within 30 days from the date of receipt of this notice will render this a final agency decision. The final agency order shall thereafter have the same effect as a judgment of the court. The Department also reserves the right to pursue any and all other remedies available by law.

Thank you for your attention to this important matter and for your anticipated cooperation. Should you have any questions concerning this order, please contact Lisa King, Office of Program Compliance at (609) 984-8128.

Sincerely,

A handwritten signature in black ink, appearing to read "Gene Rosenblum", written over a horizontal line.

Gene Rosenblum, Director  
Office of Program Compliance  
Division of Certificate of Need and Licensing

GR:jlh

DATE: October 3, 2018  
FACSIMILE (973) 972-6943  
E-MAIL [kastanjn@uhnj.org](mailto:kastanjn@uhnj.org)  
REGULAR AND  
CERTIFIED MAIL:  
RETURN RECEIPT REQUESTED  
Control # AX 18015

c. Stefanie Mozgai, Assistant Commissioner